Amendments to the Drawings:

The attached drawings include changes to Fig. 1, 2 and 3a.

Attachment: Replacement Sheets (Figs 1, 2, and 3a)
              Annotated Sheet Showing Changes (Figs. 1, 2, and 3a)

REMARKS/ARGUMENTS

Claims 1-9 and 43-82 are pending. By this Amendment, Figures 1, 2 and 3a, the specification are amended, new claims 43-82 are added, and claims 10-42 are canceled without prejudice or disclaimer.

Figures 1, 2, and 3a stand objected to. Figures 1 and 2 have been amended to be labeled as --Priori Art-- as suggested by the Examiner. Further, Figure 3a has been amended to correct the typographical error of code $H_{3,5}$ as suggested by the Examiner. In regard to labeling Figure 3a as prior art, it is respectfully submitted that Figure 3a is used in the detailed description of the invention to describe how the present invention is arrived at, and need not be labeled as prior art. Hence, withdrawal of this drawing objection is respectfully requested.

Figures 4-7 and 9-13 stand objected based on 37 C.F.R. §1.84(p)(5). It is respectfully submitted that the performance results illustrated in these Figures need not be described in detail because where and how the word error rate was measured are apparent to one of ordinary skill in the art. It is respectfully submitted that these performance results are based on simulation, and arrival of such simulation performance results are known to one of ordinary skill in the art at the time the invention was made. For example, similar performance results were presented during the conference of TSG-RAN working group from November 30 to December 3, 1999. These performance results were presented and understood by one of ordinary skill in the art who attended the conference to determine which company's proposal should be accepted.

Hence, the specification need not describe what is known to one of ordinary skill in the art, and withdrawal of this objection is respectfully requested.

The disclosure stands objected based on informalities of abbreviations or acronyms. The indicated abbreviations and acronyms have been spelled out on page 2 and page 13. In regard to the DPCCH on page 2 and DPCH on page 13, it is respectfully submitted that the amendment to the disclosure obviate this rejection. As it is known to one of ordinary skill in the art, DPCH is used to collectively describe DPCCH and DPDCH, which is illustrated in Figure 1. Based on the amendments to the specification, withdrawal of this objection is respectfully requested.

Claim 38 stands rejected under 35 U.S.C. §112, second paragraph. This rejection is moot since claim 38 is canceled without prejudice or disclaimer.

Claims 1-3, 9-12, 14-23, 36 and 38-42 stand rejected under 35 U.S.C. §102(a) over TSG-RAN XP-002213881 corresponding to R1-99K76 (hereinafter "TSG-RAN reference"). However, claims 37 and 4-8, 13, 24-35 are objected to as being allowable. To the extend that the section 102 rejection is applicable to new claims 43-82 and original claims 1-9, this rejection is respectfully traversed.

The TSG-RAN reference is not prior art under §102(a). As the Patent Office may be aware, a publication is prior art if it is published by another. Attached herewith is a Word property printout of the TSG-RAN reference after being downloaded from the 3GPP website. The Word property indicates that the author of this document is Young-Joon Song, which is the

same as the inventor of this application who was working for LGIC (the Assignee of this application). For the Examiner's information, the appropriate hyperlink to the TSG-RAN reference is provided in the attachment for the Patent Office's convenience to download this document from the 3GPP website, which is in a zip file that can be unzipped into a Word file.

Moreover, as the TSG-RAN reference indicates, the meeting was held from November 30, 1999 to December 3, 1999. Even if the Patent Office is unconvinced with the document properties indicating that this reference was authored by the inventor of this application, it is respectfully submitted that this reference may not have been disclosed until December 2, 1999 at the conference. The front sheet of the TSG-RAN reference only provides a date range. However, as shown in the Change Request coversheet, which in on page 15, the date of this reference is December 2, 1999, after the priority date of the Korean application. For the Examiner's convenience, attached herewith is the coversheet of the Change Request with the date encircled.

It is respectfully submitted that the TSG-RAN reference is not prior art under §102(a), and it is respectfully submitted that the original claims 1-9 and new claims 43-82 are novel and non-obvious. Hence, withdrawal of this §102 rejection is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP

Daniel Y.J. Kim
Registration No. 36,186

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3701 DYK/cah
Date: May 3, 2005
Attachments: R1-99K76 property printout from 3GPP website
Change Request
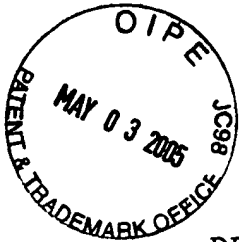**Please direct all correspondence to Customer Number 34610**
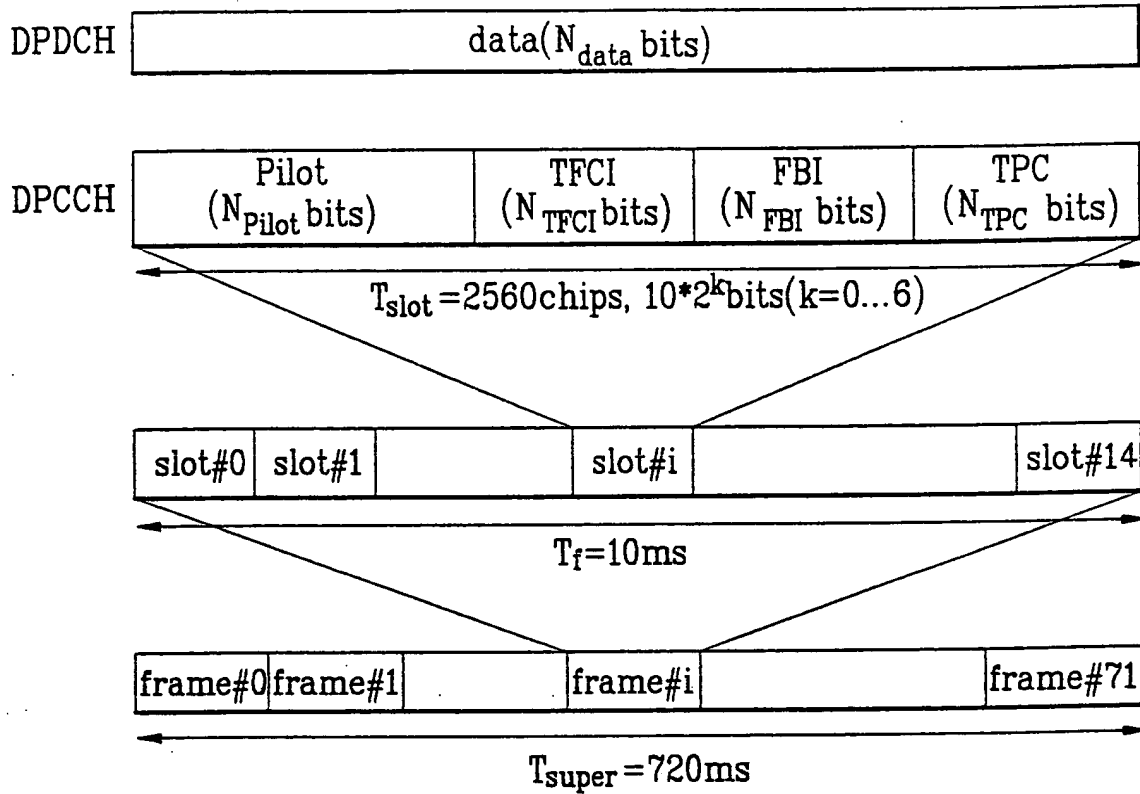
28

FIG.1
~~Related~~ Art
Prior

DPDCH | data(N_{data} bits)

DPCCH |

| Pilot (N_{Pilot} bits) | TFCI (N_{TFCI} bits) | FBI (N_{FBI} bits) | TPC (N_{TPC} bits) |

$T_{slot} = 2560$chips, $10*2^k$bits$(k=0...6)$

| slot#0 | slot#1 | | slot#i | | slot#14 |

$T_f = 10$ms

| frame#0 | frame#1 | | frame#i | | frame#71 |

$T_{super} = 720$ms

FIG.2
~~Related~~ Art
Prior

| S field | D field |

N_{FBI}
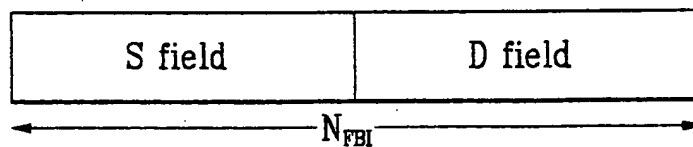
FIG.3a

Hadarmad codes of 8 bits	Hadarmad codes of 16 bits
$H_{3,0} = 0000\ 0000$	$H_{4,0} = 0000\ 0000\ 0000\ 0000$
	$H_{4,1} = 0101\ 0101\ 0101\ 0101$
$H_{3,1} = 0101\ 0101$	$H_{4,2} = 0011\ 0011\ 0011\ 0011$
	$H_{4,3} = 0110\ 0110\ 0110\ 0110$
$H_{3,2} = 0011\ 0011$	$H_{4,4} = 0000\ 1111\ 0000\ 1111$
	$H_{4,5} = 0101\ 1010\ 0101\ 1010$
$H_{3,3} = 0110\ 0110$	$H_{4,6} = 0011\ 1100\ 0011\ 1100$
	$H_{4,7} = 0110\ 1001\ 0110\ 1001$
$H_{3,4} = 0000\ 1111$	$H_{4,8} = 0000\ 0000\ 1111\ 1111$
	$H_{4,9} = 0101\ 0101\ 1010\ 1010$
$H_{3,5} = 0101\ 0101$	$H_{4,10} = 0011\ 0011\ 1100\ 1100$
	$H_{4,11} = 0110\ 0110\ 1001\ 1001$
$H_{3,6} = 0011\ 1100$	$H_{4,12} = 0000\ 1111\ 1111\ 0000$
	$H_{4,13} = 0101\ 1010\ 1010\ 0101$
$H_{3,7} = 0110\ 1001$	$H_{4,14} = 0011\ 1100\ 1100\ 0011$
	$H_{4,15} = 0110\ 1001\ 1001\ 0110$